GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment - PR & RD Department - Sri K.V. Prasad, Assistant Section Officer - Unauthorizedly absented from duties w.e.f 07.02.2017 i.e., more than one year - Departmental proceedings initiated and Articles of Charge issued under APCS (CC&A) Rules, 1991 - Written Statement of Defense submitted - Inquiry conducted - Charges proved in the regular inquiry Imposition of major penalty of "Compulsory retirement" under Rule 9 (viii) of APCS (CC&A) Rules, 1991 - Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-I) DEPARTMENT

G.O.Ms.No.75 **Dated:10-10-2023.**
Read the following:-

1)Charge Memo.No.20875/OP.I/A1/2013, PR & RD (OP- I) Dept., dated:21.06.2018.
2)From Sri K.V. Prasad, ASO., PR&RD Dept., Written Statement of Defence dated 17.07.2018.
3)G.O.Rt.No.1293, PR & RD (OP-I) Dept.,dated:22.11.2018.
4)From the Inquiry Officer & Deputy Secretary to Govt. PR & RD Deptt., dated:27.03.2019.
5)Govt.Memo.No.20875/OP.I/A1/2013, dated:04.11.2019.
6)From Sri K.V. Prasad, ASO., PR & RD Dept., representation dated 11.11.2019.
7)Govt. Letter No.20875/OP.I/A1/2013, dated:10.05.2023.
8)From the Secretary, AP Public Service Commission, Vijayawada File No.GAD03-APPSODCC/58/2023-DC SEC-APPSC (Computer No.2097499), Dated:15.06.2023.

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O R D E R:

Whereas, Sri K.V. Prasad, is a direct recruit Assistant Section Officer under Ex-serviceman quota in the year 2008 and was admitted in PR & RD Department on 19.03.2008. Earlier, on his leave applications, he was sanctioned 568 days of Earned Leave, Half Pay Leave, EOL from the date of his joining on 19.03.2008 till 2012. From January 2013 onwards he is irregular and submitted applications for sanction of Medical Leave/EOL in difference spells. But he was not sanctioned any type of leave from January, 2013 onwards. He was paid salary up to April, 2012 only. Initially a show-cause notice was issued in Memo. No. 20875 /OP.I/ A1/2013, PR&RD(OP-I) Department Dated:07.12.2015 directing him to report to duty within one week failing which necessary disciplinary action will be taken against him. The individual submitted a representation dated:18.12.2015 stating certain other grounds but not reported to duty. Again the Government have issued Memo even No dated:08.01.2016 directing him to report to duty within seven (7) days. In turn the individual submitted joining report dated 21.01.2016 and he was admitted to duty and worked up to 24.01.2016. Again he has submitted leave application for sanction of EOL from 25.01.2016 to 25.04.2016 but the individual has not reported to duties thereupon and filed further application for sanction of leave upto30.09.2016. There after, the individual submitted joining report dated:03.02.2017 and he was admitted to duty vide .O.Rt.No.44, PR & RD (OP-I) Dept., dated 03.02.2017 and the individual attended to duties upto 06.02.2017.Thereafter the individual absconded to duties unauthorisedly i.e., w.e.f 07.02.2017 onwards.

(P.T.O)

2. And whereas, considering the above circumstances of the case, Government have initiated disciplinary proceedings duly framing following article of charge under Rule 20 of APCS(CC&A) Rules, 1991 for his unauthorized absence to duties w.e.f 07.02.2017 onwards against Sri K.V. Prasad, Assistant Section Officer, PR & RD Department, in the reference 1st read above, with a direction to submit his written statement of defence:-

CHARGE:

That Sri K.V. Prasad, ASO, PR & RD Department was unauthorised absent from his duties w.e.f 07.02.2017 i.e., more than one year and failed to obtain prior permission for sanction of leave from the competent authority.

By his above mentioned act, Sri K.V. Prasad, ASO, PR & RD Department, A.P. Secretariat, failed to discharge his duties, exhibited lack of integrity, not shown devotion to duty and exhibited conduct unbecoming of a Government Servant and thereby contravened Rules, 3(1) and 3(2) of APCS (Conduct) Rules, 1964.

3. Whereas, the Charged Officer Sri K.V.Prasad, ASO, PR & RD Department has submitted his written statement of defence in the reference 2nd read above. Government, having not satisfied with the written statement of defence, decided to conduct detailed enquiry, on the charge framed against the Charged Officer, accordingly, in the reference 3rd read above, appointed Sri M. Prabhakar Reddy, Deputy Secretary to Govt. PR & RD Department as the Inquiring Authority to conduct enquiry into the matter.

4. And whereas, in the reference 4th read above, the Inquiry Officer has submitted his Inquiry Report. The Inquiry Officer in his Inquiry Report has stated that "the charge is proved partly to the extent that prior permission was not taken from the competent authority to go on leave from 07.02.2017 as required under AP Leave Rules and however the Charged Officer submitted representation/leave letter for medical invalidation and sanction of eligible leave". A copy of the Inquiry Report was communicated to Charged Officer in the reference 5th read above. He has submitted his explanation in the reference 6th read above, requesting to grant the leave for him for last 2 to 3 years because of his dreadful disease and to accept his resignation.

5. And whereas, after examination of the explanation of the Charged Officer along with the Inquiry Report, Government observed that Sri K.V. Prasad, ASO, PR & RD Department is irregular in attending duties He has filed his leave applications stating that he has been suffering from Schidophrenia and taking treatment at VIMHANS, Vijayawada. But he never submitted Physical Fitness Certificate along with joining report. His case was also referred to Medical Board, but the individual did not appear before the said Board. The Inquiry Authority has held that "charge is proved partly to the extent that prior permission was not taken from the competent authority to go on leave from07.02.2017 as required under AP Leave Rules". Even after communication of the Inquiry Report, the individual has not reported to duties and not fled any valid representation. Considering the above circumstances and keeping in view the unauthorized absence of individual from 07.02.2017 onwards till the date and duly keeping in view the findings of Inquiry Authority, Government have taken a provisional decision to impose a major punishment of "Removal" from service against Sri K.V. Prasad, ASO, PR & RD Department in the matter.

(Continued on page 3)

6. Whereas, in the reference 7th read above, concurrence of the A.P. Public Service Commission was sought for, in the matter.

7. And whereas, in the reference 8th read above, the Andhra Pradesh Public Service Commission, has opined that the delinquent is an Ex-Army personnel and he has been afflicted by psychological illness (Psychosis/ Schidophrenia) and therefore the Commission opined that, instead of "Removal of service" on sympathetic grounds, due to genuine medical condition and being an Ex-Army personnel, the Commission has recommended "either medically invalidated or Compulsorily retired" in the matter.

8. And whereas, after careful examination of the matter, Government have decided to impose a major penalty of "compulsory retirement" from service against Sri K.V. Prasad, ASO, PR & RD Department, A.P. Secretariat under Rule-9 (viii) of A.P.C.S (CC&A) Rules, 1991, keeping in view the unauthorized absence of individual from 07.02.2017 onwards till the date and duly keeping in view of the findings of Inquiry Authority.

9. Accordingly, Government hereby order to impose a major penalty of "compulsory retirement" against Sri K.V.Prasad, ASO, PR&RD Department, A.P. Secretariat under Rule-9(viii)of A.P.C.S (CC&A) Rules, 1991.

10. The Panchayat Raj & Rural Development (OP-I & OP-II) Department shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri K.V. Prasad, ASO, PR & RD Department, C/o Sri Siddhartha Elementary School, Challapalli, Krishna District - 251126, Telephone: 254038 (08671), Cell No.9553297053.
The Panchayat Raj & Rural Development(OP-I & OP-II) Department, A.P. Secretariat, Velagapudi.

Copy to:

The General Administration (SU.II) Department.
The Accountant General, Andhra Pradesh, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada
(w.r.t file Computer No.2097499)
SC/SF.

//FORWARDED::BY::ORDER//

SECTION OFFICER